

it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9568. Adulteration and misbranding of pie filling. U. S. * * * v. 1,200 Packages and 1,200 Packages of Jewel Brand Lemon Flavor Pie Filling Compound. Decree ordering product released under bond upon payment of costs by claimant, and case dismissed. (F. & D. Nos. 14189, 14190. I. S. Nos. 3562-t, 3563-t. S. Nos. C-2666, C-2669.)

On January 12 and 13, 1921, respectively, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2,400 packages of Jewel Brand lemon flavor pie filling compound, remaining in the original unbroken packages at St. Paul and Minneapolis, Minn., respectively, alleging that the article had been shipped by the Jewel Tea Co., Chicago, Ill., June 16 and July 9, 1920, respectively, and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "* * * Jewel Brand Lemon Flavor Pie Filling Compound * * * Jewel Tea Co., Inc. Headquarters New York, New Orleans, Chicago, San Francisco * * *"

Adulteration of the article was alleged in the libels for the reason that an artificially colored product consisting essentially of cornstarch, sugar, gelatin, and citric acid, and containing no eggs, had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement on the label, "Lemon Flavor Pie Filling," was false and misleading and deceived and misled the purchaser, and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 28 and May 31, 1921, respectively, the Jewel Tea Co., Inc., having entered its claim and answer and the case having come on for final disposition, decrees were entered ordering that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$600, in conformity with section 10 of the act, conditioned in part that the said product be relabeled in a manner satisfactory to this department, and that the action be dismissed.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9569. Adulteration and misbranding of Citronol. U. S. * * * v. 4 Five-Gallon Cans of Citronol * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14393. I. S. No. 4061-t. S. No. C-2702.)

On February 9, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 five-gallon cans of Citronol, remaining unsold in the original unbroken packages at Grand Rapids, Mich., alleging that the article had been shipped by Ad. Seidel & Sons, Chicago, Ill., on or about August 10, September 1, October 6, and November 13, 1920, respectively, and transported from the State of Illinois into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Lemon flavor) "This flavor is absolutely pure, it is uncolored and complies with the Pure Food Laws of all States. We guarantee it not to bake out. Prepared only by Ad. Seidel & Sons, Manufacturing Chemists,

Importers and Jobbers, Office Works and Laboratories 1245-1257 Garfield Ave., Chicago."

Adulteration of the article was alleged in substance in the libel for the reason that a certain substance, to wit, mineral oil, had been mixed and packed with the said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the said article, to wit, lemon flavor prepared with alcohol or edible oils. Adulteration was alleged for the further reason that the article was colored by coal-tar dyes in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the cans containing the article bore the above-quoted statements regarding the ingredients contained therein, which were false and misleading in that the said article did not consist of edible oils with lemon flavor, but consisted of nonedible mineral oils with lemon flavor, and for the further reason that the article was labeled so as to deceive and mislead the purchaser to believe that the article consisted of edible oils with lemon flavor, when in fact it was nonedible mineral oil with lemon flavor. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, namely, Citronol, that is to say, an article consisting of edible oils with lemon flavor, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9570. Misbranding of Dr. Blackman's Medicated Salt Brick. U. S. * * *
v. 50 Cases of Blackman's Medicated Salt Brick. Product released
under bond and case dismissed. (F. & D. No. 9227. I. S. No. 6634-r.
S. No. C-951.)**

On August 13, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on November 4, 1918, an amended libel, for the seizure and condemnation of 50 cases of Blackman's Medicated Salt Brick, at Little Rock, Ark., consigned by the Blackman Stock Remedy Co., Chattanooga, Tenn., in part on May 9 and in part on May 22, 1918, alleging that the article had been shipped from Chattanooga, Tenn., and transported from the State of Tennessee into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Dr. Blackman's Medicated Salt Brick * * * Manufactured by Blackman Stock Remedy Co., Chattanooga, Tenn. * * *;" "A Worm Medicine Blood Purifier Kidney Regulator * * * For * * * Cattle * * * Hogs And Pigs * * * As A Preventive."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted chiefly of salt with small amounts of nuxvomica, sulphur, nitrate, and an iron compound.

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that the above-quoted statement that the product was meritorious as a preventive was false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the preventive effects claimed.

On April 29, 1919, the Blackman Stock Remedy Co., Chattanooga, Tenn., having entered an appearance as claimant for the property, it was ordered by the court that upon payment of the costs of the proceedings and the execu-